



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,167	03/30/2001	Robert J. Masterson	1662-35900 JMH (P00-3056)	6276
22879	7590	06/21/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			FAROOQ, MOHAMMAD O	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,167

Applicant(s)

MASTERSON ET AL.

Examiner

Mohammad O. Farooq

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-22 and 24-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-15, 17-19, 26-29 and 31-33 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 16, 20-22, 24, 30 and 34 is/are rejected.
- 7) ☒ Claim(s) 8-11 and 25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

AD

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, 4, 7, 20, 22 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Carcerano et al. U.S. Pat. No. 6,308,205.

2. As to claim 1, Carcerano et al. teach method comprises:

receiving device configuration information from a user (col. 10, lines 48-64; abstract) ;

storing the device configuration information into an online database (col. 9, lines 15-42);

receiving a synchronization request from an electronic device that is to be configured in accordance with the configuration information (col. 10, lines 35 – 64; col. 9, lines 15 - 61); and

providing device configuration information from the database to the electronic device in response to the synchronization request (item S908, fig. 9; col. 10, lines 35 – 64; col. 9, lines 15 - 61).

3. As to claim 2, Carcerano et al. teach method wherein the electronic device is designed for residential use (a PC; item 10, 25, 11, fig. 1).

4. As to claim 4, Carcerano et al. teach method wherein the electronic device is one of a set consisting of: alarm clocks, answering machines, audio electronics, multimedia electronics (e.g. a PC and/or a scanner), home management systems, security systems, and sprinkler systems (see fig. 1).

5. As to claim 7, Carcerano et al. teach method wherein synchronization request includes a serial number (i.e. an ip address) of the electronic device (col. 11, lines 17-33).

6. As to claim 20, Carcerano et al. teach system comprises:

a network (see fig. 1);

one or more servers coupled to the network and configured to provide an online service (see fig. 1),

wherein the service includes:

providing a web page interface featuring a home page for an electronic device owned by a user (see fig. 6);

receiving device configuration information from the user via the interface (see fig. 1; col. 10, lines 48-64; abstract);

storing the device configuration information into an online database (col. 9, lines 15-42);

receiving a synchronization request from the electronic device (col. 10, lines 35 – 64; col. 9, lines 15 – 61); and

providing device configuration information from the database to the electronic device in response to the synchronization request (col. 10, lines 35 – 64; col. 9, lines 15 – 61; item S908, fig. 9).

7. Claims 22 and 24 have similar limitations as claims 4 and 7. Carcerano et al. teach method as set forth in claims 4 and 7. Therefore, Carcerano et al. also teach system as set forth in claims 22 and 24.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3, 5 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carcerano et al. U.S. Pat. No. 6,308,205 in view of Cheng, US 2001/0032273.

9. As to claim 3, Carcerano et al. do not teach method wherein the electronic device is a digital audio recorder.

Cheng teaches method wherein the electronic device is a digital audio recorder (i.e. AV device; page 1, paragraph 0005). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Carcerano et al. and Cheng because that would provide seamless interoperability among home entertainment products (page 1, paragraph 0005).

10. As to claim 5, Carcerano et al. do not teach method wherein the electronic device is a white good.

Cheng teaches method wherein the electronic device is a white good (i.e. home appliances; page 1, paragraph 0005). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Carcerano et al. and Cheng because that would provide consumer electronics and home appliances to communicate with each other (page 1, paragraph 0005).

11. Claim 21 is similar in limitation as claim 3. Carcerano et al. and Cheng in combination teach method as set forth in claim 3. Therefore, Carcerano et al. and Cheng in combination also teach system as set forth in claim 21.

12. Claims 16 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carcerano et al. U.S. Pat. No. 6,308,205 in view of Yamaura et al. U.S. Pat. No. 6,192,372.

13. As to claim 16, Carcerano et al. do not teach method wherein configuration information includes song playlists.

Yamaura et al. teach method wherein configuration information includes song playlists (col. 7, lines 1-6). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Carcerano et al. and Yamaura et al. because that would provide simple and ease-of-operation of music performance configuration data selection (col. 1, lines 38-51).

14. Claim 30 is similar in limitation as claim 16. Carcerano et al. and Yamaura et al. in combination teach method as set forth in claim 16. Therefore, Carcerano et al. and Yamaura et al. in combination also teach system as set forth in claim 30.

15. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carcerano et al. U.S. Pat. No. 6,308,205 in view of Rolf et al. U.S. Pat. No. 5,555,536

16. As to claim 34, Carcerano et al. teach method, comprises:

receiving device configuration information from a user (col. 10, lines 48-64; abstract);

storing the device configuration information into an online database (col. 9, lines 15-42); and

providing device configuration information from the database to the electronic device (item S908, fig. 9).

Carcerano et al. do not teach the electronic device is one of a set consisting of: alarm clocks, answering machines, and sprinkler systems. Rolf et al. teach the electronic device is one of a set consisting of: alarm clocks, answering machines, and sprinkler systems (alarm clock, answering machine; col. 1, lines 6-15; col. 2, lines 38-41; col. 4, lines 36 – 39). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Carcerano et al. and Rolf et al. because that would provide an user to store, edit, play messages at a selected time (col. 2, lines 44-64).

Allowable Subject Matter

17. Claims 12-15, 17-19, 26-29 and 31-33 are allowed.
18. Claims 8-11 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

19. Applicant's arguments filed April 11, 2005 have been fully considered but they are not persuasive.

20. The examiner disagrees with the applicant Carcerano et al. do not teach receiving a synchronization request from an electronic device that is to be configured in accordance with the configuration information; and providing device configuration information from the database to the electronic device in response to the synchronization request. It should be stated a reference for a rejection must be considered as a whole and the reference Carcerano et al. teach "...update configuration of network devices" as the title indicates. Further, col. 10, lines 35 – 64 and col. 9, lines 15 – 61 indicates in multiple times about requests from a workstation/device(s) to the configuration management system/database which then configures the workstation/device(s) in the network. The request(s) might not specifically state a synchronization request but rather it is either an URL-encoded request or simply a request from a workstation which inherently can be considered as a synchronization request to one of ordinary skill in the art for updating a device in a network as the applicant claims to be the invention. Therefore, the examiner retained the rejection.


21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (571) 272-4144. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mohammad O. Farooq
June 16, 2005